



भारतीय दूरसंचार विनियामक प्राधिकरण  
TELECOM REGULATORY AUTHORITY OF INDIA  
भारत सरकार /Government of India



Dated: - 09th February, 2021

**Subject:** Direction to M/s. Kerala Communicators Cable Ltd. under section 13, read with sub-clause (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997, to ensure compliance to the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 dated 3rd March, 2017.

**No. D-2/1/(1)/2021-B AND CS(2):** Whereas the Telecom Regulatory Authority of India (hereinafter referred to as the "Authority"), established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as "TRAI Act"), has been entrusted to discharge certain functions, inter-alia, to regulate the telecommunication services; lay-down the standards of quality of service to be provided by the service providers and ensure the quality of service and conduct the periodical survey of such service provided by the service providers so as to protect interest of the consumers of telecommunication service;

2. And whereas, the Central Government, in the Ministry of Communications and Information Technology (Department of Telecommunications), vide its Notification No.39, ---

(a) issued, in exercise of the powers conferred upon it by proviso to clause (k) of sub-section (1) of section 2 of the TRAI Act, and

(b) published under notification No.S.O.44 (E) dated 9<sup>th</sup> January, 2004 in the Gazette of India, Extraordinary, Part II, Section 3 - sub-section (ii)---

has notified broadcasting services and cable services to be telecommunication service;

3. And whereas the Authority notified a new regulatory framework for Broadcasting and Cable TV services provided through addressable systems, encompassing the following: -

(a) *the Telecommunication (Broadcasting and Cable) Services (Eighth) (Addressable Systems) Tariff Order, 2017 dated 3rd March, 2017;*

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- (b) the Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) Regulations, 2017 dated 3rd March, 2017; and
- (c) the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection (Addressable Systems) Regulations, 2017 dated 3rd March, 2017 (hereinafter referred to as "QoS Regulations 2017");

4. And whereas sub-regulation (1) of regulation 25 of the QoS Regulations, 2017 provides for establishment of customer care centre, and reads as under: -

*"25. Customer care centre. – (1) Every distributor of television channels shall, before providing broadcasting services related to television to its subscribers, establish a customer care centre, for addressing their service requests and redressal of complaints and the distributor shall ensure that such centre:*

*(a) has a toll free "customer care number" having sufficient number of lines or connections and human resources to efficiently service the subscriber base of the distributor,*

*(b) is accessible, at least, between 08:00 hrs and 22:00 hrs on all days of the week,*

*(c) provides the services in the regional language of the service area in addition to Hindi and English,*

*(d) has an Interactive Voice Response System (IVRS) with provision for complaint registration and*

*(e) has a web based complaint management system.";*

5. And whereas regulation 31 of the QoS Regulations, 2017 provides for establishment of website by distributors, and reads as under: -

*"31. Establishment of website. – (1) Every distributor of television channels shall establish and maintain a website for the purpose of publicity of information related to broadcasting services related to television offered by the distributor and for consumer awareness:*

*Provided that it shall be permissible for a distributor of television channels to engage any agency for establishing and operating such website:*

*Provided further that the responsibility for compliance of the provisions of these regulations shall rest with the distributor of television channels.*





(2) Every distributor of television channels shall provide a hyperlink for "consumer corner" on the home page of the website which shall be clearly visible and noticeable to visitors without scrolling the page.

(3) The consumer corner hyperlink referred to in sub-regulation (2) shall point to another web page where the information in accordance with Schedule II of these regulations shall be made available.

(4) The web page referred in sub-regulation (3), shall also have a provision for login to the subscribers to access information specific to such subscriber in accordance with Schedule III of these regulations.";

6. And whereas it was observed by the Authority that M/s. Kerala Communicators Cable Ltd. (KCCL) has not fully complied with the provisions of new regulatory framework, and vide letter/show cause notice 12-23/2020-B&CS dated 28.10.2020, comments of M/s. KCCL were sought for such non-compliance;

7. And whereas the response to the letter/show cause notice submitted by M/s. KCCL vide letter dated 17.11.2020 was considered by the Authority and was not found to be satisfactory for the following reasons:

- a) the DPO packs declared on the website by M/s. KCCL does not contain the list of channels i.e. a-la-carte pay channels & bouquets of pay channels formed by broadcasters along with their DRP as mandated by regulation 31(3) of the QoS Regulations 2017 read with entry 1(e) of Schedule-II to the said regulations;
- b) the website of M/s. KCCL does not display the LCN no. of the consumer information channel as mandated by regulation 31(3) of the QoS Regulations 2017 read with entry 12 of Schedule-II to the said regulations;
- c) the web-based complaint management system link (<https://ccare.kccl.tv>) provided by M/s. KCCL, as mandated by regulation 25(1) and regulation 31(3) of the QoS Regulations 2017 read with entry 8 of Schedule-II to the said regulations, is not functional; and
- d) the subscriber corner hyperlink containing the details mentioned in Schedule-III to the QoS Regulations 2017 has not been provided to the consumers on the website of M/s. KCCL, as mandated by sub-regulation (4) of regulation 31 to the QoS Regulations, 2017;

8. Now, therefore, the Authority, in exercise of its power under section 13, read with sub-clause (v) of clause (b) of sub-section (1) of section 11, of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) hereby directs M/s. **Kerala Communicators**

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**Cable Ltd.**, to comply with the provisions of the Telecommunication (Broadcasting and Cable) Services Standards of Quality of Service and Consumer Protection Regulations, 2017 and furnish compliance report to the Authority within twenty one days from the date of issuance of this Direction, failing which M/s. **Kerala Communicators Cable Ltd.**, shall be liable for action as per extant regulatory provisions.

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09.02.2021

(Devendra Dwivedi)  
Joint Advisor (B&CS)

To

**Mr. Suresh Kumar PP,**  
**Managing Director,**  
**M/s Kerala Communicators Cable Ltd.,**  
**No. 47/64, 12<sup>th</sup> A Cross, Vyalikavil,**  
**Malleshwaram, Bangalore- (Karnataka),**  
**Pin- 560 003**